

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

vs.

No. CIV 08-493 JB/LFG
CR 07-1050 JB

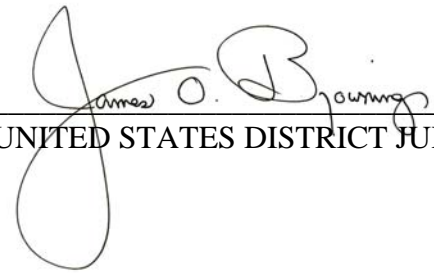
MANUEL GUERRERO-MARQUEZ,

Defendant-Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS
AND RECOMMENDED DISPOSITION
AND DISMISSING ACTION WITH PREJUDICE**

THIS MATTER came before the Court on the Magistrate Judge's Findings and Recommended Disposition, filed September 3, 2008 (Doc. 10). Defendant-Movant Manuel Guerrero-Marquez has not filed objections, and the deadline for filing objections has passed. The Court accepts the findings and recommended disposition except as follows: (i) in the first and fifth line of paragraph 14 on page 5, the name "Diaz" is deleted and substituted with the name "Guerrero-Marquez"; and (ii) in the next-to-the-last line in paragraph 19 on page 7, the spelling of the word "finidn" is changed to "finding".

IT IS ORDERED that the United States Magistrate Judge's findings and recommended disposition are adopted by the Court, except as follows: (i) in the first and fifth line of paragraph 14 on page 5, the name "Diaz" is deleted and substituted with the name "Guerrero-Marquez"; and (ii) in the next-to-the-last line in paragraph 19 on page 7, the spelling of the word "finidn" is changed to "finding"; the motion is denied; and this action be, and it hereby is, dismissed with prejudice.



James O. B. Gunning

UNITED STATES DISTRICT JUDGE